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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,852	04/02/2004	Lieven Leopold Albertine Trappeniers	Q80529	9704

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WASHINGTON, DC 20037

EXAMINER
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BAYOU, YONAS A

ART UNIT	PAPER NUMBER
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2134

MAIL DATE	DELIVERY MODE
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07/30/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/815,852

Applicant(s)

ALBERTINE TRAPPENIERS ET AL.

Examiner

Yonas Bayou

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2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04/02/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>04/02/2004</u>  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Carlson et al., Pub. No. US 2002/0071416 A1 (hereinafter Carlson).

Referring to claim 1, Carlson teaches a method for controlling establishing a network connection between a client and a network comprising the phases of authenticating, authorizing, and accounting, comprising a further interim negotiation phase of negotiating a connection or business mode of authorization and accounting [paragraph 0028 and fig. 3, whereas the phases of authenticating corresponds to discovery phase, authorizing corresponds to process servicing phase and accounting corresponds to billing phase].

Referring to claim 2, Carlson teaches a method for controlling establishing a network connection between a client and a network comprising further an additional

initialization phase synchronizing the underlying business model **[paragraph 0002, lines 1-7]**.

Referring to claim 3, Carlson teaches a method for controlling establishing a network connection between a client and a network providing a user interface means for involving a user in the further interim negotiation phase **[paragraph 0010, lines 4-7]**.

Referring to claim 4, Carlson teaches a method for controlling establishing network connection between a client and a network, wherein the negotiating comprises connection policy-framework compliant solution **[paragraph 0035 and fig. 1-2]**.

Referring to claim 5-7, Carlson teaches a network access system comprising a network access client device connected to at least one network via a network access trader device **[paragraph 0015]**, said network access client device comprising a connection controller for controlling the access to said at least one network, characterized by further comprising a business logic inference machine and memory for business logic specifying business rules and connection behavior, said connection controller uses the business logic for negotiating a connection or business mode with a network access trading device of said at least one network **[paragraph 0017, lines 10-15]**, the business logic corresponds to the wireless portal connection mechanism which comprises connection controller, a network access client device and trading device/billing device], and said network access trading device comprising a second

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connection controller for controlling the access to said at least one network from said at least one network access client device, and a second business logic inference machine and memory for business logic specifying business rules and connection behavior, said connection controller uses the business logic for negotiating a connection or business mode with said at least one network access client device and for authorization and accounting said connection **[paragraph 0018, lines 7-15]**.

Referring to claim 8, Carlson teaches a network access trading device, wherein the network access trading device is a network access server **[paragraph 0026]**.

Referring to claim 9, Carlson teaches a computer software product, characterized by comprising programming means for performing the method according to claim 1 **[paragraph 0028, the mechanisms to perform the network connection service inherently comprising software programming]**.

### ***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yonas Bayou whose telephone number is 571-272-7610. The examiner can normally be reached on m-f, 7:30-5:00.

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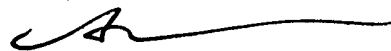
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on 571-272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Yonas Bayou

YB

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7, 12, 07